



UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

RODNEY MYERS,

Plaintiff,

vs.

M. OXBORROW, *et al.*,

Defendants.

3: 09-cv-0159-BES-RAM

ORDER

Plaintiff, a prisoner at Ely State Prison, is proceeding *pro se* in this civil rights action. On April 30, 2009, the court entered an order denying plaintiff's application to proceed *in forma pauperis*, without prejudice to his filing a new, fully completed application (Docket #3). The court further ordered that plaintiff must, within thirty days, do one of the following: (1) pay the full filing fee of \$350, or (2) file a fully completed application to proceed *in forma pauperis* on the correct form, including a financial certificate signed by an authorized prison or jail officer. The court cautioned plaintiff that if he did not timely comply with the court's order, dismissal of this action might result.

On May 20, 2009, plaintiff filed another application to proceed *in forma pauperis* (Docket #5). As was the case with plaintiff's first application, the second application was incomplete because it does not contain a financial certificate signed by an authorized prison or jail officer. On June 22, 2009, the court entered an order and judgment dismissing this case without prejudice for plaintiff's failure to obey the court's order that he either pay the filing fee

1 in this case or submit a fully completed application to proceed *in forma pauperis* (Docket #6,
2 #7).

3 On July 9, 2009, plaintiff filed a motion for reconsideration of the order dismissing this
4 case (Docket #8). The court finds no basis for reconsideration of its prior order.

5 **IT IS THEREFORE ORDERED** that plaintiff's motion for reconsideration (Docket #8)
6 is **DENIED**.

7 DATED this 13th day of July, 2009.

8 
9
10 UNITED STATES DISTRICT JUDGE